

**Notice of Allowability**

Application No.

10/533,711

Examiner

HELENE TAYONG

Applicant(s)

BIRRU, DAGNACHEW

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/02/10.
2. ☒ The allowed claim(s) is/are 1-4,6-14 and 16-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application   |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>1/14/11</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|  | 9. <input type="checkbox"/> Other ____.   |

### **DETAILED ACTION**

1. Acknowledgment is made of amendment filed 11/02/10.

Claims 1-4,6-14,16-21 and 22 are pending in this application and are considered below.

### **Response to Arguments**

2. Applicant's arguments with respect to the rejection of claims 1-4, 6-14, 16-18 and 21-22 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application No. 2004/0057535 ("Strolle") in view of U.S. Patent No. 5,884,064 ("Rosenberg") have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael A. Scaturro on 1/14/11.

The application has been amended as follows:

1. In the claims:

- (1) In claim 1, line 14, change "a trailing portion" to - - - the trailing portion- - - ;
- (2) In claim 2, line 2, change "the processing" to - - - the post processing - - - ;
- (3) In claim 4, line 1, change "the processing" to - - - the post processing - - - ;

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- (4) In claim 6, line 1, change "the processing" to - - - the post processing - - -;
- (5) In claim 7, line 1, change "the processing" to - - - the post processing - - -;
- (6) In claim 11, line 14, change "a post-processor" to - - - the post processor - - -;
- (7) In claim 11, line 16, change "a trailing portion" to - - - the trailing portion- - -;
- (8) In claim 19, line 19, change "a trailing portion" to - - - the trailing portion- - -;

***Allowable Subject Matter***

- 4. Claims 1-4,6-14,16-21 and 22 are allowed.
- 5. The following is an examiner's statement of reasons for allowance: The prior arts of record U.S. Patent Application No. 2004/0057535 ("Strolle") and U.S. Patent No. 5,884,064 ("Rosenberg") taken individually or in combination fails to particularly disclose, fairly suggest, or render obvious on the following when considered in combination with other limitations in the claim: *a post-processing unit configured to deinterleave the first and second encoded data packets produced by the one or more units, further comprising the steps of: (a) removing a trailing portion from each of said first and second encoded data packets, and (b) derandomizing a remaining portion of each of said first and second encoded data packets, wherein said step of removing a trailing portion from each of said first and second encoded data includes one of: removing reed-solomon parity bytes from said first encoded data packets, and*

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*removing encoded digital information bytes from said second encoded data packets, wherein said reed-solomon parity bytes are different from said encoded digital information bytes.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HELENE TAYONG whose telephone number is (571)270-1675. The examiner can normally be reached on Monday-Friday 8:00 am to 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Liu Shuwang can be reached on 571-272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helene Tayong/  
Examiner, Art Unit 2611

January 8, 2011

/Shuwang Liu/

Supervisory Patent Examiner, Art Unit 2611